

**IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE**

THOMAS A. EAMES, ROBERTA L. EAMES	)	
and TAMMY EAMES, on behalf of	)	
themselves and all others	)	
similarly situated,	)	
	)	
Plaintiffs,	)	C.A. No. 04-CV-1324KAJ
	)	
v.	)	
	)	
NATIONWIDE MUTUAL INSURANCE	)	
COMPANY,	)	
	)	
Defendant.	)	

**STATEMENT REQUIRED TO BE FILED UNDER D. DEL. LR 7.1.1**

Pursuant to D. Del. LR 7.1.1, the undersigned counsel states that he made a reasonable effort to reach agreement with Nationwide's attorneys on the subject matter of the accompanying motion (seeking certification of an interlocutory appeal with respect to the Court's April 27, 2005 Memorandum Order). Specifically, counsel wrote to Nationwide's attorneys by e-mail on May 5, 2005, seeking to determine whether Nationwide would object to the application. To date, Nationwide has not responded.

Respectfully submitted,

MURPHY SPADARO & LANDON

/s/ John S. Spadaro  
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Attorneys for plaintiffs Thomas A. Eames,  
Roberta L. Eames and Tammy Eames (on  
behalf of themselves and all others similarly  
situated)

May 6, 2005

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NATIONWIDE MUTUAL INSURANCE	)	
COMPANY,	)	
	)	
Defendant.	)	

**NOTICE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following:

Nicholas E. Skiles, Esq.  
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